

12-22-99

QAU-1613

PTO/SB/29 (2/98)

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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U.S. PATENT & TRADEMARK OFFICE

DEC 21 1999

CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTALSubmit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))CHECK BOX, if applicable:  
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Attorney Docket No.	Beiersdorf 545.1-CAO
First Named Inventor	Schonrock, et al.
Examiner Name	M. Murray
Group / Art Unit	1613
Express Mail Label No.	EE473057506US

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 243,568  
filed on Feb. 3, 1999, entitled USE OF FLAVONES, FLAVANONES AND FLAVANOIDS  
FOR PROTECTING ASCORBIC ACID AND/OR

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 164(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-IP NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is 37 C.F.R. § 1.78(b).

- Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....  
b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - PTO-1449
  - Copies of IDS Citations

12/23/1999 DVUONG 00000109 141263 09243568

01 FC:131 760.00 CH

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 C.F.R. § 1.16(c) or (i))	12 -20* =	0	x \$ _____ =	\$ 0
	<b>INDEPENDENT CLAIMS</b> (37 C.F.R. § 1.16(b) or (ii))	1 -3** =	0	x \$ _____ =	0
	<b>MULTIPLE DEPENDENT CLAIMS</b> (if applicable) (37 C.F.R. § 1.16(d))			+ \$ _____ =	0
				<b>BASIC FEE</b> (37 C.F.R. § 1.16)	760.00
				<b>Total of above Calculations =</b>	760.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).				0
	<i>* Reissue claims in excess of 20 and over original patent.</i>				
	<i>** Reissue independent claims over original patent.</i>			<b>TOTAL =</b>	760.00

6. Small entity status:

a.  A small entity statement is enclosed, if (b) and (c) do not apply. +980.00\*  
\$1740.00  
b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 14 - 1263:

a.  Fees required under 37 C.F.R. § 1.16.  
b.  Fees required under 37 C.F.R. § 1.17.  
c.  Fees required under 37 C.F.R. § 1.18.

8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

9.  Other: APPENDIX

Petition for Extension of Time (4 months)

**NOTE:**

*The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.*

**10. NEW CORRESPONDENCE ADDRESS**

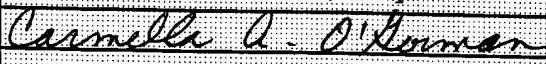
Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or  New correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Carmella A. O'Gorman, Esq.		
Signature			
Registration No. (Attorney/Agent)	33,749		
Date	December 21, 1999		



## APPENDIX

Beiersdorf 545.1-CAO  
6713-hf

### LIST OF INVENTORS:

Uwe SCHONROCK  
Inge KRUSE

**"Express Mail" Mailing Label No. EE473057506US**  
Date of Deposit: December 21, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

NORRIS, McLAUGHLIN & MARCUS

By:

Adelle Bainter

BEI545.APD